



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
MAY 8, 2017**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:05 p.m. by President Spitzley

PRESENT: Council Members Brown Clarke, Dunbar, Houghton, Hussain, Spitzley, Washington, Wood

ABSENT: Council Member Yorko (arrived at 7:29pm)

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Spitzley.

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Council Member Dunbar

To approve the printed Council Proceedings of April 24, 2017

Motion Carried

**COMMENTS BY COUNCIL MEMBERS
AND THE CITY CLERK**

Council Member Washington shared details on the First Contact meeting.

Council Member Hussain provided an update on the Third Ward constituent meeting with Vice President Wood.

Council Member Houghton provided a reminder on the Scott Woods Neighborhood Association and the Neighborhood Roundtable Community meeting.

Council President Spitzley thanked Council Members Hussain, Wood, and Brown Clarke for their efforts canvassing door to door for the BWL project on energy efficiency.

Council Member Brown Clarke spoke about the recent Sikh Parade.

Vice President Wood shared additional details on a free energy efficiency program.

**SPEAKER REGISTRATION FOR
PUBLIC COMMENT ON LEGISLATIVE MATTERS**

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Legislative Matters included the following public hearings:

1. In consideration of An Ordinance to amend Chapter 1240 Title 6 of the Planning and Zoning Code, Part 12 of the Codified Ordinances of the City of Lansing, Chapter 1240, Section 1240.03 for the purpose of defining a "Garden", "Garden Structure", "Gardening" and to amend the definition of "Open Space"
2. In consideration of Z-9-2016; Rezoning 2122 N MLK & Vacant Properties from Residential, Community Unit, Apartment Shop, Commercial and Parking to "H" Light Industrial, "G-2" Wholesale and "F" Commercial
3. In consideration of the FY 2018 City Budget

Council Member Brown Clarke gave an overview of Public Hearings #1 and #2.

Vice-President Wood gave an overview of Public Hearing #3.

Council Member Yorko at 7:29 p.m.

• Public Comment on Legislative Matters:

Jon Miles spoke in opposition to the Ordinance to amend Chapter 1240 Title 6 of the Planning and Zoning Code, Part 12 of the Codified Ordinances of the City of Lansing, Chapter 1240, Section 1240.03 for the purpose of defining a "Garden", "Garden Structure", "Gardening" and to amend the definition of "Open Space".

Todd Heywood spoke in support of an Ordinance of the City Of Lansing, Michigan, to amend Chapter 622, Section 622.01, of the Lansing Codified Ordinances by excluding drug paraphernalia distributed by a federal, state or local governmental agency to prevent the transmission of infectious agents.

Kathy Miles expressed concerns with several items in the FY2018 budget.

William Lee spoke in support of an Ordinance to amend Chapter 1240 Title 6 of the Planning and Zoning Code, Part 12 of the Codified Ordinances of the City of Lansing, Chapter 1240, Section 1240.03 for the purpose of defining a "Garden", "Garden Structure", "Gardening" and to amend the definition of "Open Space".

Egypt Krohn spoke in support of an Ordinance to amend Chapter 1240 Title 6 of the Planning and Zoning Code, Part 12 of the Codified Ordinances of the City of Lansing, Chapter 1240, Section 1240.03 for the purpose of defining a "Garden", "Garden Structure", "Gardening" and to amend the definition of "Open Space".

Julie Lehman spoke in support of an Ordinance to amend Chapter 1240 Title 6 of the Planning and Zoning Code, Part 12 of the Codified Ordinances of the City of Lansing, Chapter 1240, Section 1240.03 for the purpose of defining a "Garden", "Garden Structure", "Gardening" and to amend the definition of "Open Space".

Paul Gentilozzi spoke in support of Z-9-2016.

Alex Rusek spoke on various legislative matters.

Janet Kincaid spoke in support of an Ordinance to amend Chapter 1240 Title 6 of the Planning and Zoning Code, Part 12 of the Codified Ordinances of the City of Lansing, Chapter 1240, Section 1240.03 for the purpose of defining a "Garden", "Garden Structure", "Gardening" and to amend the definition of "Open Space."

Ricardo Briones spoke regarding concerns with Z-9-2016.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of An Ordinance to amend Chapter 1240 Title 6 of the Planning and Zoning Code, Part 12 of the Codified Ordinances of the City of Lansing, Chapter 1240, Section 1240.03 for the purpose of defining a "Garden", "Garden Structure", "Gardening" and to amend the definition of "Open Space"
REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of Z-9-2016; Rezoning 2122 N MLK & Vacant Properties from Residential, Community Unit, Apartment Shop, Commercial and Parking to "H" Light Industrial, "G-2" Wholesale and "F" Commercial
REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of the FY 2018 City Budget
REFERRED TO THE COMMITTEE OF THE WHOLE

CONSENT AGENDA

By Vice President Wood

To approve items 1a -1f on the Consent Agenda.

Motion Carried

RESOLUTION #2017-106

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN, SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Derrick Quinney grew up in Lansing, Michigan and began his career with General Motors in 1978. He is married to Desiree his wife of forty four years, they have two children and two grandchildren; and

WHEREAS, In 2001 Derrick Quinney became the Health and Safety Director for the Michigan State AFL-CIO, where he provided statewide workplace Safety Training Program. He is State President of the A. Philip Randolph Institute, a member of the United Auto Workers, the Old News Boys, former member of the Ergonomics Standard Advisory Committee, and a Lansing Police Commissioner; and

WHEREAS, Derrick Quinney was selected by the Lansing City Council to fulfill the remainder of the term for the vacated At-Large Council Seat on January 29, 2007. And in 2008 he was elected to an At-Large Seat while being appointed President of the City Council in 2009; and

WHEREAS, Derrick Quinney was appointed to serve as the Ingham County Register of Deeds in February 2015, being the 32nd person to hold the office; and

WHEREAS, Derrick Quinney was involved with the UAW Local 602 and served on several committees including; Civil Rights, Community Services, Union Label, Women's Committee, UAW/GM Labor Loaned Executed to the Capital Area United Way and the Board of Directors for the Old news Boys of Greater Lansing; and

WHEREAS, Derrick was awarded the UAW Local 602 Alvin J. Pressley Trail Blazer Award, the UAW Local 652 Cyril A. McGuire Trail Blazer Award and the Walter Campbell Community Service Award.

BE IT RESOLVED, Lansing City Council hereby congratulates Derrick

Quinney on being selected as the 2017 APRI Lansing Chapter Community Role Model. We greatly appreciate your dedication to the Lansing community and wish you continued success in the coming years.

Adopted as part of the Consent Agenda

RESOLUTION #2017-107

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN, SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Bill Reed was born and raised in Michigan and graduated from Ionia High School. Bill attended Michigan State University and Lansing Community College. Bill has a certificate in Computer Programming, and has earned certification in Collective Bargaining, Grievance Handling, Classroom Facilitation, Roberts Rule of Order and Union History from the UAW Center for Human Resources and the Walter and May Reuther UAW Family Education Center; and

WHEREAS, Bill started his career at General Motors and became involved in his union, UAW Local 602 by volunteering with the Citizenship and Legislative committee. Bill loves challenges so this opportunity allowed him to be active in the union movement and the impact it has on the community; and

WHEREAS, Bill is a member of the UAW Local 602 Union Label Committee, Capital Area United Way, Old Newsboys Association, and the A. Philip Randolph Institute just to name a few. He also volunteers for the Civil and Human Rights Committee, Recreation Committee, Community Service Committee, and the Regional UAW Women's Council; and

WHEREAS, Bill was appointed Alternate District Committee Representative in 2006, and was elected Vice President of the UAW Local 602 in 2008. Along with being elected President in June 2011, 2014 and 2017 making him the longest serving President of UAW Local 602.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby congratulates Bill Reed for being selected as the 2017 APRI Lansing Chapter Community Role Model. We greatly appreciate your dedication to the Lansing community and wish you continued success in the coming years.

Adopted as part of the Consent Agenda

RESOLUTION #2017-108

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN, SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Geronimo Lerma III was born and raised in Lansing, Michigan. He graduated from Lansing Everett High School and is currently employed with Bridgewater Interiors LLC where he has worked for the last eleven years; and

WHEREAS, In 2014 Geronimo founded Footprints of Michigan an organization that receives and distributes footwear to those in need throughout the State of Michigan. All items donated are given to those in need at no charge. Footprints of Michigan has held numerous events that have provided food, winter clothing, blankets, boots, and shoes to those in need; and

WHEREAS, In February 2017 Geronimo and the Footprints of Michigan organization, launched the SOLE4VETS Campaign and will begin serving the homeless veterans. May 24, 2017 Lansing, Michigan will be the first stop to benefit in this summer long tour; and

WHEREAS, Within the next five years Geronimo plans to expand Footprints of Michigan. With plans of having mobile closets in Detroit

and Grand Rapids, along with a central warehouse in Lansing. With a goal to help as many individuals as possible.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby congratulates Geronimo Lerma III for being selected as the 2017 APRI Lansing Chapter Community Role Model. We greatly appreciate your dedication to the Lansing community and wish you continued success in the coming years.

Adopted as part of the Consent Agenda

RESOLUTION #2017-109

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN, SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY OF LANSING CITY COUNCIL

WHEREAS, Anita R. Dawson moved to Lansing, Michigan in 2006. She is married to Ray Dawson and has three children and two grandchildren. Anita loves to play tennis, read many genres, spend time with family and she started a book club "Literary Ladies of Lansing"; and

WHEREAS, After college Anita worked as a Title IV-D Caseworker for the Howard County Prosecutor's Office in Indiana. She then moved on to Delphi Electronic as a computer programmer. This is where she began to learn the history of the labor movement and study the injustices of workers more closely. With her union training and additional training at Indiana University she obtained leadership positions at the UAW Local union; and

WHEREAS, In 2008 Anita was appointed Vice Chair for the Region 1-C Women's Council and served four years. She was later appointed Chair of the Women's Council. She was elected to the Executive Board of the UAW Capital Area CAP Council and also serves as a labor advocate on the Ingham County Fair Board. She has also worked for the United Way as a Labor Loaned Executive Officer from General Motors for two years; and

WHEREAS, Anita has served on several committees for the betterment of the membership. She is currently an Alternate Benefit Representative at the General Motors Lansing Delta Township facility. In 2010 she worked on a special organizing assignment for UAW Vice President Cindy Estrada and Miguel Foster of the Civil and Human Rights Departments respectively; and

WHEREAS, Anita has doubled the APRI chapters in the State of Michigan from five chapters to ten chapters. Those chapters have been charged in voter engagement and empowerment. The Michigan chapters have received Nation-wide attention from many organizations due to her work in the voter suppression efforts. The Michigan chapters have been recognized for Outstanding Leadership and Outstanding Chapters from the National A. Philip Randolph Institute in each of the past 4 years; and

WHEREAS; Anita has done an enormous amount for the community she is highly respected and admired for her strength, courage, and tenacity in taking on the Michigan Secretary of State and filing a lawsuit to block the removal of Straight Party Voting.

BE IT RESOLVED that the Lansing City Council, hereby, expresses its appreciation to Anita R. Dawson for her contributions to Lansing communities through her hard work and dedication. Congratulations on being chosen as the recipient of the "Special Award" from the APRI Lansing Chapter. We wish you continued success!

Adopted as part of the Consent Agenda

RESOLUTION #2017-110

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN, SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Josephine Tomancik was born May 19, 1923 to Joseph and Mary Tomancik. She has two brothers and two sisters. She is affectionately known as "Jo" by those fortunate enough to know her; and

WHEREAS, Josephine began working for the State of Michigan April 4, 1942 with the Department of Vocational Education and Rehabilitation as a typist/clerk. In January of 1950 she transferred to the Michigan Department of Transportation. And in April of 1953 Josephine moved to the Department's Roadside Development Division where she worked as a Secretarial Administrative Assistant; and

WHEREAS, Josephine retired from the State of Michigan April 30, 1992. She was the Department of Transportation's first woman to complete 50 years of consecutive state service. Jo is remembered by many as being devoted to her work, and for her unwavering support of the department's roadside development programs; and

WHEREAS, In recognition of her contributions to the department. A scenic turnout has been named in her honor. The turnout is located on M-22 north of Arcadia in Benzie County; and

WHEREAS, Josephine has now been retired 25 years and is enjoying every day as she continues to be happy, and healthy. While looking forward to celebrating her upcoming 94th birthday.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, along with her friends and family hereby pay tribute to the honors and accomplishments of Josephine Tomancik and we wish her a Happy 94th Birthday and many more!

Adopted as part of the Consent Agenda

RESOLUTION #2017-111

BY COUNCIL MEMBERS BROWN CLARKE, DUNBAR, HOUGHTON, HUSSAIN, SPITZLEY, WASHINGTON, WOOD, AND YORKO
RESOLVED BY THE CITY OF LANSING CITY COUNCIL

WHEREAS, Against All Odds, Inc. is a non-profit (501c3) breast cancer organization dedicated to providing emotional and educational support services for African American Women, of all ages, in all stages of breast cancer, along with their families, encouraging them to reclaim their lives; and

WHEREAS, According to nationalbreastcancer.org, every one in eight women will be diagnosed with breast cancer in their lifetime and is the most common cancer amongst women worldwide; and

WHEREAS, Against All Odds, Inc. host fundraising events, such as the 9th "Women of Vision" Luncheon, to help benefit these strong women in need; and

WHEREAS, Against All Odds, Inc. has dedicated their website for women to share special stories of hope and spread positive words of encouragement to other women no matter where they are in life or in their stages of breast cancer; and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby recognizes the 9th "Women of Vision" Luncheon "wear your crown in honor of survivors" hosted by Against All Odds, Inc. to further support Women Empowering Women, sharing knowledge, hope, and encouragement in that there is life after a breast cancer diagnosis.

Adopted as part of the Consent Agenda

RESOLUTIONS

RESOLUTION #2017-112

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 12, 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

SLU-1-2017: Special Land Use Permit, Residential Use in the "I" Heavy Industrial District, 700 E. Oakland Avenue and 3 Adjoining Parcels to its South.

By Council Member Brown Clarke

Motion Carried

RESOLUTION 2017-113

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
BROWNFIELD PLAN #68
BELEN BUILDINGS REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 513 & 515 Ionia Street located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on May 22, 2017 at 7:00 p.m. on Brownfield Plan #68 – Belen Buildings Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

513 Ionia street Lansing, MI 48933. Parcel number 33-01-01-16-157-081; W 2 R LOTS 1 & 2 ALSO E 55 FT LOTS 11 & 12 BLOCK 92 ORIG PLAT

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #69 221 West Saginaw Avenue Block Redevelopment Project and the scheduled public hearing.

By Council Member Brown Clarke

Motion Carried

RESOLUTION #2017-114

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION TO SET A PUBLIC HEARING FOR
BROWNFIELD PLAN #69
221 WEST SAGINAW AVENUE REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has

prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 221 West Saginaw Avenue located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

WHEREAS, maps, plats, and a description of the brownfield plan are available for public inspection at the Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on May 22, 2017 at 7:00 p.m. on Brownfield Plan #69 – 221 West Saginaw Avenue Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

221 West Saginaw Avenue Lansing, MI 48933. Parcel number 33-01-01-16-127-001; LOT 8 & N 1 R LOT 7 BLOCK 63 ORIG PLAT

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #69 221 West Saginaw Avenue Block Redevelopment Project and the scheduled public hearing.

By Council Member Brown Clarke

Motion Carried

RESOLUTION #2017-115

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Men Making a Difference Inc. has requested \$500.00 to defray costs associated with facility rental and miscellaneous rental fees for the 2017 Family Community Cookout Festival to be held on July 15, 2017; and

WHEREAS, the maximum total amount of the Community Funding Account to be awarded to an organization in one fiscal year is \$500.00; and

WHEREAS, the Committee on General Services met on April 27, 2017 and approved an amount of \$500.00 from community funding for the 2017 Family Community Cookout Festival.

BE IT RESOLVED that the Lansing City Council, hereby approves an allocation from the Community Funding Account to Men Making a Difference Inc. who have requested \$500.00 to defray costs associated with facility rental and miscellaneous rental fees for the 2017 Family Community Cookout Festival to be held on July 15, 2017.

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$500.00 to the City Council Community Promotion Account – 101.112101.741289.0.

BE IT RESOLVED that Men Making a Difference shall submit a written analysis of the event, including information regarding the number of attendees, a detailed account as to contributors, funds received, expended and residual funds to the Lansing City Council within 60 days after the event.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-116

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Los Tres Amigos South Side, Inc to Transfer interest in a Resort Class C and SDM Liquor License for Los Tres Amigos South Side, Inc.; and

WHEREAS, the Committee on General Services has reviewed the request with affirmative action taken;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Los Tres Amigos South Side, Inc to Transfer interest in a Resort Class C and SDM Liquor License for Los Tres Amigos South Side, Inc.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-117

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Mash Mavericks Inc. for a Small Distillers License at 523 E. Shiawassee St., Lansing, MI 48912, Ingham County ; and

WHEREAS, the Committee on General Services met on April 27, 2017 to review the request with affirmative action taken;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Mash Mavericks Inc. for a Small Distillers License at 523 E. Shiawassee St., Lansing, MI 48912, Ingham County;

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-118

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lawrence McMillen sought to eliminate a special assessment of \$922.00 for trash and debris removal fees, and all associated penalties and interest, on the property tax bill for 1233 Vermont Avenue (Tax ID #33-01-01-10-181-321); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of \$200.00 was granted and the remaining amount of \$722.00 was denied on April 27, 2017.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, grants the claim of Lawrence McMillen in the amount of \$200.00 and denies the remaining amount of \$722.00 for trash and debris removal fees and all associated penalties and interest on the property tax bill for 1233 Vermont Avenue (Tax ID #33-01-01-10-181-321).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-119

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jon Addiss sought to eliminate a special assessment of \$3,292.00 for trash and debris removal fees, and all associated penalties and interest, on the property tax bill for the vacant lot on S. Hosmer (Tax ID #33-01-01-15-302-182); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of \$3,292.00 was denied on April 27, 2017.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, denies the claim of Jon Addiss in the amount of \$3,292.00 for trash and debris removal fees and all associated penalties and interest on the property tax bill for the vacant lot on S. Hosmer (Tax ID #33-01-01-15-302-182).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-120

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mark Preston sought to eliminate a special assessment of \$764.00 for trash and debris removal fees, and all associated penalties and interest, on the property tax bill for 527 Pacific Avenue (Tax ID #33-01-01-28-276-051); and

WHEREAS, upon filing a claim to the Committee on General Services, the claim in the amount of \$177.00 was granted and the remaining amount of \$587.00 was denied on April 27, 2017.

THEREFORE, BE IT RESOLVED, that the City Council, hereby, grants the claim in the amount of \$177.00 and denies the remaining amount of \$587.00 for the claim filed by Mark Preston for trash and debris removal fees and all associated penalties and interest on the property tax bill for 527 Pacific Avenue (Tax ID #33-01-01-28-276-051).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

By Council Member Houghton

Motion Carried

RESOLUTION #2017-121

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the City of Lansing (Employer) established the City of Lansing Public or Section 501 Tax – Exempt Employer Deferred Compensation Plan pursuant to Section 457 of the Internal Revenue Code, a/k/a the Deferred Compensation Plan (the 457 Plan), effective July 1, 1985; and

WHEREAS, the new collective bargaining agreement between the City of Lansing and UAW Local 2256, Lansing City Unit, ratified January 9, 2017 (the CBA), provides in part for the City, as the Employer, to allow union employees to utilize the 457 Plan as a retirement savings vehicle; and

WHEREAS the existing 457 Plan must first be amended to permit Employer plan contributions before this CBA provision can be effectuated; and

WHEREAS, the City, as Employer, desires to modify the 457 Plan by amending Section 2.03 before 2.03a, Section 2.09, adding a sentence to Section 2.13, adding a new Plan to Sections 2.15 and 2.16 of Article II, amending Section 4.01, Section 4.02a, and adding Section 4.02h to Section 4.02; and

WHEREAS, the City Attorney has presented the proposed 457 Plan amendments;

NOW, THEREFORE, BE IT RESOLVED that the City, as Employer, hereby amends the City of Lansing Deferred Compensation Plan as follows, with the effective date of these amendments being the date of this resolution unless otherwise set forth below:

1. Effective for limitation years beginning on and after January 1, 2017, the introductory language of Plan Section 2.03 before 2.03a is amended as follows:

2.03 Deferred Compensation: The amount of Compensation not yet earned, as designated in the Participation Agreement which is made a part hereof, which the Participant and the Employer mutually agree shall be deferred in accordance with the provisions of this Plan, **as well as contributions pursuant to Sections 4.02g and 4.02h, subject to the following limitations**

2. Effective for limitation years beginning on and after January 1, 2017, Plan Section 2.09 is amended as follows:

2.09 Participation Agreement: A written agreement between the Employer and a Participant setting forth certain provisions and elections relative to the Plan, establishing the amount of Deferred Compensation **(other than contributions pursuant to Plan Sections 4.02g and 4.02h(i) through (iii))**, the manner and method of paying benefits under the Plan, incorporating the terms and conditions of the Plan and, **other than as provided in Sections 4.02g and 4.02h**, establishing the Participant's participation in the Plan.

3. Effective for limitation years beginning on and after January 1, 2017, the following sentence is added to the end of Section 2.13 as follows:

Notwithstanding anything to the contrary herein, the Employer may designate a default Designated Institution and Investment Product in the event a Participant fails to make a designation in his or her Participation Agreement which shall be the deemed designation of the Participant.

4. Effective for limitation years beginning on and after January 1, 2017, the following new Plan Sections 2.15 and 2.16 are added to the end of Article II:

2.15 "10/21/13 UAW Local 2256 Employee" means an employee of the Employer who either hired into or transferred into UAW Local 2256 on or after October 21, 2013.

2.16 "Base Wage" means an employee's salary or wage determined by his or her classification at an annualized rate of pay contained in the appendix of the collective bargaining agreement with UAW Local 2256 as then in effect.

5. Effective for limitation years beginning on and after January 1, 2017, Plan Section 4.01 is amended as follows:

4.01 Eligibility. Any (i) Eligible Participant of the Employer to whom Compensation is paid and who executes a Participation Agreement with the Employer is eligible to participate in the Plan and (ii) **any Eligible Participant who is a "10/21/13 UAW Local 2256 Employee" shall automatically be a Participant in the Plan.**

6. Effective for limitation years beginning on and after January 1, 2017, Plan Section 4.02a is amended as follows:

Except as provided for in 4.02g or with respect to "10/21/13 UAW Local 2256 Employees" as provided for in 4.02h, to become a Participant an eligible individual must agree to defer Compensation not yet earned by entering into a Participation Agreement. The Participation Agreement will become effective no earlier than the first day of the calendar month following the date on which it is executed or any subsequent date that is administratively feasible as determined by the Employer.

7. The following new Plan section 4.02h is added to Plan Section 4.02:

h. Notwithstanding anything to the contrary herein:

(i) commencing on and after the first day of the month immediately following the date this Third Amendment is adopted, those Eligible Participants who are "10/21/13 UAW Local 2256 Employees" will have 2% of their Base Wage mandatorily withheld through regular payroll deduction and contributed to the Plan as a pre-tax annual deferral as defined by Treasury Regulation 1.457-2(b) to their Plan.

(ii) in addition, effective on and after the first day of the month immediately following the date this Third Amendment is adopted, the Employer will contribute to the Plan as a pre-tax annual deferral as defined by Treasury Regulation 1.457-2(b) on behalf of each 10/21/13 UAW Local 2256 Employee a percentage of their Base Wage as is required pursuant to the collective bargaining agreement then currently in force between the Employer and UAW Local 2256.

(iii) in 2017, the Employer will also contribute to the Plan as a pre-tax annual deferral as defined by Treasury Regulation 1.457-2(b) on behalf of each 10/21/13 UAW Local 2256 Employee who is employed by the Employer on the date of this Amendment's adoption by the Employer a lump sum contribution in an amount equal to 2% of their Base Wage earned from (i) the later of such employee's date of hire or transfer into UAW Local 2256 or October 21, 2013, through (ii) the date such contribution is made.

(iv) a 10/21/13 UAW Local 2256 Employee may agree to defer additional Compensation not yet earned in excess of the aforementioned contributions in this Section 4.02h(i) through (iii) by entering into a Participation Agreement subject to the other provisions of the Plan.

(v) In the event the Employee has not completed a Participation Agreement, contributions made pursuant to Section 4.02 h(i) through (iii) shall be made in a manner consistent with the collective bargaining agreement currently in force between the Employer and Local 2256 until the Participation Agreement is completed.

(vi) notwithstanding anything in the Plan to the contrary, amounts contributed or deferred pursuant to this Section 4.02h are subject to and limited by the overall annual contribution limits under the Plan as set forth in Plan section 2.03 and Code Sections 414(v), 415 and 457(e) as applicable; provided, further, the Employer may require a 10/21/13 UAW Local 2256 Employee to complete a Participation Agreement even if such employee does not defer additional amounts pursuant to 4.02h(iv).

BE IT FINALLY RESOLVED that the City of Lansing Deferred Compensation Committee is hereby authorized to pass resolutions, sign documents and take such other action necessary and appropriate to effectuate and administer the amended and added subsections to the 457 Plan in conformity to the January 9, 2017 CBA.

By Vice-President Wood

Motion Carried

RESOLUTION #2017-122

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Parks & Recreation Department of the City of Lansing received approval from the Ingham County Board of Commissioners for up to \$4,496,093 in trails and parks millage funding; and

WHEREAS, the funding will be used for twelve (12) projects within the trail system within the city of Lansing, as detailed in Ingham County Board of Commissioners resolutions 16-247, 16-328 and 17-109; and

WHEREAS, there is no match requirement for this funding; and

WHEREAS, the funding for the US-127 pathway project is intended to be used for engineering and the required 20% local match for the construction of this project, which is funded with federal CMAQ funding in FY'2018 and FY'2020; and

WHEREAS, the Parks and Recreation Department is requesting acceptance of the Ingham County trails and parks millage funding; and

WHEREAS, the City of Lansing recognizes the importance of the continued maintenance of these and other enhancements and has committed to implementing a maintenance plan/program over the design life of the facilities and has budgeted specific monies to ensure the continued maintenance of the enhancements; and

WHEREAS, the Administration and the City Council recognize the importance and need for safe recreation and non-motorized transportation facilities;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves acceptance of the Ingham County parks and trails millage funding as identified in the Ingham County Board of Commissioners resolutions 16-247, 16-328 and 17-109;

BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for their administration in accordance with the requirements of the grantor.

By Council Member Washington

Motion Passed

ORDINANCES FOR INTRODUCTION

Council Member Washington introduced:

An Ordinance of the City Of Lansing, Michigan, To amend Chapter 622, Section 622.01, of the Lansing Codified Ordinances by excluding drug paraphernalia distributed by a federal, state or local governmental agency to prevent the transmission of infectious agents

The Ordinance was read by its title for a first time and referred to the Committee on Public Safety

RESOLUTION #2017-123

RESOLUTION SETTING PUBLIC HEARING
BY CITY COUNCIL

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for May 22, 2017 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an ordinance amendment to Chapter 622, Section 622.01 of the Lansing Codified Ordinances by excluding drug paraphernalia distributed by a Federal, State or Local government agency to prevent the transmission of infectious agents.

Interested Persons are invited to attend this Public Hearing

By Council Member Washington

Motion Carried

The Committee on Development and Planning introduced:

An Ordinance of the City of Lansing Z-2-2017; Rezoning the properties 5025 S. Pennsylvania Avenue, Rezoning from "E-2" Local Shopping District to "F" Commercial District

The Ordinance was read by its title for a first time and referred to the Committee on Development and Planning

RESOLUTION #2017-124

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 12, 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-2-2017: 5025 S. Pennsylvania Avenue, Rezoning from "E-2" Local Shopping District to "F" Commercial District

By Council Member Brown Clarke

Motion Carried with Council Members Hussain, Washington, and Wood voting "nay"

The Committee on Development and Planning introduced:

An Ordinance of the City of Lansing Z-3-2017; Rezoning the properties 3512 S. Martin Luther King Jr. Blvd., Rezoning from "F" Commercial & "J" Parking Districts to "H" Light Industrial District

The Ordinance was read by its title for a first time and referred to the Committee on Development and Planning

RESOLUTION #2017-125

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, June 12, 2017, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue,

Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-3-2017: 3512 S. M. L. King Jr. Blvd., Rezoning from "F" Commercial & "J" Parking Districts to "H" Light Industrial District

By Council Member Brown Clarke

Motion Carried

Council Member Washington introduced:

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 294, Sections 294.02(a), 294.02(i), 294.02(k) and 294.02(r) to conform to the Police Officers' Pension Benefit changes contained in the Collective Bargaining Agreements between the City and Capitol City Labor Program, Inc. (CCLP) Local #141 Supervisory and Non-Supervisory Divisions, both ratified in 2015, by adding the definition of base wage; providing a minimum retirement age of 50 for new hired Police Officers; limiting pensions to 115% and 110% of a base wage; amending the Police Officer employee pension contribution; and reducing the pension benefit multiplier for new hired police officers.

The Ordinance was read a first time by its title and referred to the Committee on Ways and Means

RESOLUTION #2017-126

By the Committee of the Whole

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, May 15, 2017 at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 294, Sections 294.02(a), 294.02(i), 294.02(k) and 294.02(r) to conform to the Police Officers' Pension Benefit changes contained in the Collective Bargaining Agreements between the City and CCLP Local #141 Supervisory and Non-Supervisory Divisions, both ratified in 2015, by adding the definition of base wage; providing a minimum retirement age of 50 for new hired Police Officers; limiting pensions to 115% and 110% of a base wage; amending the Police Officer employee pension contribution; and reducing the pension benefit multiplier for new hired police officers.

By Council Member Washington

Motion Carried

ORDINANCES FOR PASSAGE

An Ordinance of the City Of Lansing, Michigan to amend Chapter 654, Noise Ordinance, Section 654.11, Special Permits, to modify the notice requirement to go to residents living within 500 feet of the emitter twelve days in advance of the public hearing.

Was read a second time by its title and adopted by the following roll call vote:

Yeas: Council Members Brown Clarke, Dunbar, Houghton, Hussain, Spitzley, Washington, Wood, Yorko

Nays: None

By Council Member Houghton to give the Ordinance immediate effect

Motion Carried

ORDINANCE #1210

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO AMEND CHAPTER 654, NOISE ORDINANCE, SECTION 654.11, SPECIAL PERMITS, TO MODIFY THE NOTICE REQUIREMENT TO GO TO RESIDENTS LIVING WITHIN 500 FEET OF THE EMITTER TWELVE DAYS IN ADVANCE OF THE PUBLIC HEARING.

THE CITY OF LANSING ORDAINS:

SECTION 1. That Section 654.11 of Chapter 654 of the Lansing Codified Ordinances ("Code") be amended to read as follows:

654.11. - Special permits.

- (a) Following a public hearing at a regularly scheduled Council meeting, and upon recommendation of the Mayor and approval by an affirmative vote of two-thirds of the members of Council, a permit for relief from any of the restrictions or noise level requirements of this chapter may be granted. Applications for a permit for such relief may be made to the Mayor or his or her designated representative. Such a permit for relief may be granted if it is found:
 - (1) That additional time is necessary for the applicant to alter or modify its operation to comply with this chapter, or that the activity, operation or noise source will be of temporary duration and cannot be done in a manner that would comply with the other requirements of this chapter;
 - (2) That no reasonable alternative is available to the applicant; and
 - (3) That the noise created will not unreasonably damage or endanger the health, safety or welfare of the public.
- (b) Residents living within 300 500 feet of the real property boundary line of the noise emitter applying for such a permit must be given notice of the application ~~thirty~~ TWELVE days in advance of the hearing thereon. Such notice shall be delivered by mail to all such residents. Unintentional failure to notify any such resident as required in this subsection shall not invalidate a permit issued pursuant to this section.
- (c) Any permit granted pursuant to this section may be subject to and prescribe any conditions, limitations or requirements which Council deems necessary to minimize adverse effects upon the community, persons within the community or the surrounding neighborhood.
- (d) Any permit granted pursuant to this section shall contain all conditions upon which the permit has been granted and shall specify a reasonable time that the permit shall be effective, not to exceed two years.
- (e) Any permit granted pursuant to this section shall be revoked if the conditions to which it is subject are violated, or when issued pursuant to subsection (a) hereof, if the conditions set forth in such subsection are no longer satisfied or fulfilled.
- (f) If it is decided to revoke any permit granted pursuant to this section, written notice of revocation shall be served upon the permittee or his or her agent or officer personally or by certified mail, return receipt requested. If the activities being conducted or the noise created pursuant to such a permit endangers the public health or safety, such revocation will be effective immediately; otherwise the revocation will be effective ten days after service of the notice of revocation.
- (g) If a permittee wishes to appeal the revocation of a permit issued pursuant to this section, an appeal may be initiated by filing a written notice of appeal at the office of the City Clerk. The notice must state specifically the reasons and facts upon which the permittee bases the appeal. The notice of appeal must be filed within ten days of the service of the notice of revocation of the permit or of the denial of the permit. If such a notice of appeal has been filed in a timely fashion, and if the revocation of the permit was not given immediate effect based on danger to public health and safety, the revocation of the permit will be suspended until such time as the permittee's appeal is decided or until such time as Council finds that the activities engaged in or the noise

produced pursuant to the permit endangers the health or safety of the public.

- (h) If an appeal of the revocation or denial of a permit granted pursuant to this section is made, the appellant shall be granted a hearing before Council or such persons as Council, by resolution, may designate. If the permit involved has been revoked and such revocation has not been suspended, the hearing shall be conducted and a decision on the appeal rendered as soon as reasonably possible. At any hearing conducted pursuant to this section, the appellant shall be permitted to be represented by counsel of choice, to present such pertinent testimony and other proof as he or she desires and to confront any witness or evidence submitted in the support of the revocation. The decision on the appeal shall be rendered in writing and a copy of the decision shall be supplied to the appellant. In the appeal, the appellant shall have the burden of proof as to all matters.
- (i) Fees shall be established by resolution of Council for the permits, appeals or variances granted pursuant to this section. Such fees shall reflect the costs of granting and investigating the permit or variance request, or, in the case of an appeal, the cost of conducting the hearing of the appeal, and shall be approved by Council.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules, inconsistent with the provisions hereof are hereby repealed in their entirety and shall be void and of no effect.

Section 3. Should any section, clause or phrase of this Ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 4. This Ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Vice President Wood that all items be considered as being read in full and that President Spitzley make the appropriate referrals

Motion Carried

- Reports from City Officers, Boards and Commissions:
 1. Letter(s) from the City Clerk re:
 - a. Minutes of Boards, Commissions, and Authorities placed on file in the Clerk's Office
- PLACED ON FILE
- b. FY 2017 3rd Quarter General Fund Status Report
- REFERRED TO THE COMMITTEE OF THE WHOLE AND TO THE INTERNAL AUDITOR
- 2. Letter(s) from the Mayor re:
 - a. Grant Acceptance, Congestion Mitigation and Air Quality (CMAQ) Grants Funding Traffic Signal Upgrades and Signal Communications Improvements

REFERRED TO THE COMMITTEE ON WAYS & MEANS AND TO THE INTERNAL AUDITOR

- b. Establishment of a Historic District for Central United Methodist Church

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

- Communications and Petitions, and Other City Related Matters:
 1. Communication from Celebrations Banquets, L.L.C. requesting a change to or variance from the Liquor Ordinance
- REFERRED TO THE COMMITTEE ON GENERAL SERVICES
- 2. Communication from Rachel Jensen, requesting a change to the Trespass Ordinance
- REFERRED TO THE COMMITTEE ON PUBLIC SAFETY
- 3. Affidavit of Disclosure, Keegan Stitt, Lansing Police Department
- REFERRED TO THE BOARD OF ETHICS

REMARKS BY COUNCIL MEMBERS

Council Member Houghton provided a reminder for the Sycamore Park Cleanup and Scott Woods Picnic and a notification for Old Everett Neighborhood Association meeting.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Chief Operating Officer to Mayor Bernero, Chad Gamble, provided a reminder of Adopt-A-River, and thanked Council for approval of the resolution for receiving County funds.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

There was no public comment.

ADJOURNED TIME 8:57 P.M.

CHRIS SWOPE, CITY CLERK